

REMARKS

Claims 21-27 are objected to under 37 CFR 1.75(c) as being in improper form as multiple dependent claims. Claims 21-27 are amended to remove multiple dependency, and therefore, the objection against claims 21-27 is rendered moot.

Moreover, no other rejection is presented against claims 21-27, and therefore, claims 21-27 are allowable.

Claims 15-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tsala (US 4,918,418), Frick (US 4,944,187), Murakami (US 4,658,373) and Weber (US 3,722,288).

Regarding the rejection against independent claim 15, claim 15 is amended to recite "*coils are superimposed with each center axis of the first coils...[and]... **at least one of the first, second and third coils being bent by receiving pressure.***" Support for the amendment language is demonstrated by an exemplary embodiment of the invention disclosed by the originally-filed application at for example, Figs. 6-7 and paragraphs 0040-0042.

Regarding an obviousness rejection, **each and every** limitation or feature of a claim must be shown to be taught or suggested by a combination of art before an obviousness rejection is proper. As the Board of Patent Appeal and Interferences has confirmed, a proper, post-KSR (*KSR Int'l v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007)) obviousness determination still requires the Examiner to make "a searching comparison

of the claimed invention-*including all its limitations*-with the teaching of the prior art." *In re Wada and Murphy*, Appeal 2007-3733, citing *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995) (emphasis in original); see also MPEP §2143.03.

The art of record, singularly or in any combination, fails to teach or suggest "at least one of the first, second and third coils being bent by receiving pressure" as positively recited by independent claim 15. Pursuant to above authority, since the Office has failed to demonstrate a teaching to all of the positively recited limitations of independent claim 15, claim 15 is allowable. For this reason alone, the obviousness rejection against claim 15 based on the combination of art is inappropriate, fails and should be withdrawn. Independent claim 15 is allowable.

Furthermore, the teachings by the primary reference to Tsala demonstrates that the Tsala apparatus could not appropriately be modified to have any "coils being bent by receiving pressure" and still function as intended. The Tsala apparatus is for sensing the torque applied to a shaft 12 (col. 4, lines 39-41) and the sensing means 18 is an "inductive *coil structure 28 disposed concentrically* at a **predetermined distance** about the shaft." (col. 4, line 66 to col. 5, line 1) (emphasis added). That is, the coil structure 28 could not "bend" because this would circumvent the necessary *predetermined distance* to be maintained for the Tsala apparatus to function properly. In fact, Tsala specifically teaches an inventive mounting structure 36 to "maintain[] the coil structure 28, or any similar sensor structure,

concentrically at **a predetermined distance** about the shaft 12.” (col. 6, lines 64-68) (emphasis added). Consequently, the Tsala apparatus could not be appropriately modified by teachings from other references to have “coils being bent by receiving pressure” as positively recited by independent claim 15. Accordingly, even assuming that the Office has located art to teach “coils being bent by receiving pressure”, the located reference could not be appropriately combined with Tsala as such modification to the Tsala apparatus would destroy the function of the Tsala apparatus. For this reason alone, the obviousness rejection against claim 15 based on the combination of art is inappropriate, fails and should be withdrawn. Independent claim 15 is allowable.

Still further, independent claim 15 recites to three coils: “at least one of the first, second and third coils...” Of the four references relied upon to reject claim 15, the Office presents Weber which is directed to a gravitational force gradient transducer to allegedly teach the above-recited limitation by directing Applicant’s attention to “three coils 503, 505, 507” (page 3 of paper no. 20090114). However, as Weber clearly teaches, not one of the “three coils 503, 505, 507” is **bent** as positively recited by claim 15: “The three coils are rigidly fixed to a supporting structure....” (col. 19, lines 29-32). Accordingly, even assuming that the teachings of Weber could be appropriately combined with Tsala to modify the Tsala device (which Applicant demonstrated previously this assumption does not exist), the teaching of Weber combined with Tsala fails to teach “at least one of the

first, second and third coils being bent by receiving pressure” as positively recited by independent claim 15. For this additional reason alone, the obviousness rejection against claim 15 based on the combination of art is inappropriate, fails and should be withdrawn. Independent claim 15 is allowable.

Claims 16-19 depend from allowable independent claim 15, and therefore, the dependent claims are at least allowable for depending from an allowable independent claim. In addition, the dependent claims are allowable for reasons that are distinct to the allowability of claim 15.

Regarding the rejection against independent claim 20, claim 20 is amended to recite “coils are superimposed with each center axis of the first coils, and...**at least one of the first and second coils being bent by receiving pressure.**” Support for the amendment language is demonstrated by an exemplary embodiment of the invention disclosed by the originally-filed application at for example, Figs. 6-7 and paragraphs 0040-0042.

As demonstrated previously regarding the rejection of claim 15, the art of record, singularly or in any combination, fails to teach or suggest “coils being bent by receiving pressure” as positively recited by independent claim 20. Moreover, the teachings by the primary reference to Tsala demonstrates that the Tsala apparatus could not appropriately be modified to have any “coils being bent by receiving pressure,” as positively recited by claim 20 and still function as intended. Accordingly, for any one of these reasons alone, the obviousness rejection against claim 20 based on the


combination of art is inappropriate, fails and should be withdrawn. Independent claim 20 is allowable.

Claims 21-27 depend from allowable independent claim 20, and therefore, the dependent claims are at least allowable for depending from an allowable independent claim. In addition, the dependent claims are allowable for reasons that are distinct to the allowability of claim 20.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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